

REMARKS**I. Introduction**

Applicants respectfully submit that the pending claims are not rendered obvious in view of the cited prior art references for at least the reasons set forth below. Reconsideration of the pending rejection is respectfully requested.

II. The Rejection Of The Claims Under 35 U.S.C. § 103

Claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Farhan et al. (USP 6,449,071) in view of Sage (US 2003/0156602), and in further view of Leblanc et al. (US 7,333,475). This rejection is traversed for at least the following reasons.

First, Applicants respectfully submit that Leblanc is not analogous art to the present subject matter, and thus it would not have been obvious to combine Leblanc with Farhan and Sage to arrive at the present subject matter. Leblanc is directed to voice telephony products (see, col. 1, lines 45-46 of Leblanc) and relates to the method of transmitting audible signals (see, col. 3, lines 21-23 of Leblanc), in which signals of kHz range are targeted. In contrast, the present subject matter relates to the digital return path *CATV* system, which handles an MHz order signal range. As such, it is clear that Leblanc is not analogous to the present subject matter, and thus it is clear that claims 1-16 are patentable over the cited references.

Applicants further submit that none of the cited references discloses or suggests the step splitting each of the plurality of the digitized return path signals into a respective plurality of low band signals and upper band signals, as recited by claim 1. The Examiner asserts that Farhan discloses this feature at col. 4, lines 37-57 of Farhan. However, the cited portion of Farhan discloses dividing the reverse spectrum into three bands, i.e., low, medium and high (see, also FIG. 3 of Farhan). In contrast, in present disclosure, it is clear that the digitized return path

signals are split into a plurality of low band signals (i.e., *two* or more low band signals) and a plurality of high band signals (i.e., *two* or more high band signals). In other words, in the present disclosure, there are at least *four* split band signals in total. For example, the return path signal band is split into four low bands L1-L4 and four high bands H1-H4, i.e., eight in total (see, paragraph [0021] of the present specification as published). As such, it is clear that Farhan fails to disclose splitting the digitized return path signals into *a plurality of low band signals* and *a plurality of high band signals*, as recited by claim 1. Applicants also submit that the remaining cited references do not cure the deficiency of Farhan, and it would not have been obvious to add this feature to the alleged combination of the cited references. In addition, it is submitted that none of the cited references discloses or suggests the similar feature of claim 10. Thus, claims 1 and 10 and all claims dependent thereon are patentable over the cited references.

Furthermore, Applicants respectfully submit that none of the cited references discloses or suggests the step of digitally combining each of the plurality of *low band signals* to form a combined low band signal, as recited by claim 1. The Examiner concedes that Farhan fails to disclose this feature and relies on Sage attempting to cure the deficiency of Farhan. Specifically, the Examiner asserts that FIGS. 4 and 5 of Sage disclose this feature. However, Sage discloses the digital return signals to be combined by hub 201 in FIG. 4 are approximately 100 MHz (see, paragraph [0028] of Sage). It is apparent for one of skill in the art that this frequency range is not a low band. Further, it is clear that the signals to be combined in Sage are not split low band signals. In contrast, in the present disclosure, the low band signals (for example, L1-L4) are split to, for example, a frequency range of equal to or less than 20 MHz (see, paragraph [0025] of the present specification as published), and then combined to form a combined low band signal L0 (see, paragraph [0026] of the present specification as published). As such, it is clear that Sage

fails to disclose the above discussed feature of claim 1. Accordingly, claim 1 and all claims dependent thereon are patentable over the cited references. Since claim 10 recites substantially similar features to claim 1, claim 10 and all claims dependent thereon are also patentable over the cited references.

Based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-16 under 35 U.S.C. § 103(a).

III. Conclusion

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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